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Atari Online News, Etc.
A-ONE Online Magazine
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A-ONE #0240

10/06/00

~ MyAtari Mag Released! ~ People Are Talking! ~ CCAG 2001 News!
~ Microsoft Saves Corel! ~ Maxtor Buys Quantum! ~ NoStalgia Update!
~ UK Law Okays 'Big Boss' ~ Netscape 6 Beta! ~ MP3.com Campaign!
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- * Microsoft Requests More Time *-
- * Napster Hearing Ends, No Decision! *-
- * AOL Endorses "Opt-Out" Online Privacy Laws *-

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->From the Editor's Keyboard
""""""""""

"Saying it like it is!"

Contrary to my esteemed colleague, this "sod-buster" likes reaping from the fruits (and vegetables) he sows. It's nice to see a mountain of dirt turn into a lawn; a patch of earth become a garden of flowers or vegetables. It's hard work, hot and sweaty, but the end result is worth it. And that pretty much goes for everything we do these days.

On the work front, it's still hectic. A million things going on at once; and naturally, everything needed to be done yesterday! Tension continues to mount over budget issues; healthcare facilities are really hurting these days.

I'll be heading "down" to Maine this weekend to see my folks. While I'm at it, we'll be able to take part in a typical New England tradition of "leaf-peeping" - checking out the fall foliage. For New Englanders, this is like partaking in a sacred pilgrimage. Our route to Maine should take us through some wonderful peak areas.

Until next time...

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New STE Emulator

The first release of a brand new Atari STE emulator for Windows is now available. "The Steem Engine" as it is called will run a lot of the game disks available, it's at least as compatible as other freeware emulators available as far as we can tell. It's also designed to be particularly easy to use with a nice interface.

We'd like people to try it and tell us what they think - it is only a small file & doesn't have a nasty installation process.

Have a look at <http://steem.atari.org>

Hope you enjoy the latest recreation of everyone's favourite computer!

Anthony & Russell Hayward

NoSTalgia 0.7 Is Out

National Guard Armory
IT'S ON ROUTE 57!!!

(actual address)
3520 Grove Avenue
Lorain, Ohio 44055-2048
(On Route 57, going North of I-90/Route 2)

IT'S FREE!

Both vendors and attendees!
Computer User Groups and vendors inside, flea market outside!

Setup: 22nd, June, 2001
6PM-10PM

Please Call Ahead for Reservations:

Jim W. Krych jwkrych@n2net.net}
440-979-9295
Fred M. Horvat fmh@netzero.net}
440-286-2566
And these other CCAG 2001 organizers:
Thomas J. McLaren sirthomas@uk2.net}

Please visit this site:
{<<http://tomheroes.com/ccag.htm>> <http://tomheroes.com/ccag.htm>}

As of 9/29/2000
User Groups:
Erie PA Atari Group
TI Chips
Cleveland Classic Atari Group

Vendors:
Tomorrow's Heroes
Retropolis
Songbird Productions
Video Game Connection
Ramcharged Computers

People/Organizations:
Fred Wagaman
Alan Hewston
Thomas McLaren
Andy Frueh
Tim Snider
Curt Vendel (Atari Historical Society)

We are looking to do a Classic Game Experience this year!
One room is going to be set up for playing classic computer and video game
cartoons and commercials. The other room is going to be an emulator
room-MAME, etc. We are hoping for some people with arcade systems to bring
them-will probably need a small generator for that.

See ya at the CCAG!

First, who was the fellow with the Milan running Draconis at the Columbus swap? I was there, but did not know who he was.

I would have walked away with some good stuff, if I did not think it was worth more than some other person actually paid for it.

Secondly, I write essays on a bunch of odd topics, and what follows is one of them. If it is publishable, go right ahead. It has not been distributed in any organized manner so far, other than e-mail to my e-mail list. Oddly, a new Mac user thinks the same of his new Mac as I do my old Atari.

Goo-ey

This is not about the time that Gucci, the maker of fine leather goods, beat off an attacker, not with the purses it makes, but with its legal staff.

The attacker was Bloomingdales, a high-class New York, USA, department store, with a high-class lunchroom on the premises. They started serving a line of high-class high-calorie cream-filled tasty pastry, and advertised it as "Gucci Gucci Goo". When called by Gucci's angry lawyers, they ceased and desisted quite promptly, and got a lot of publicity for doing so.

It is about a debate with a co-worker who told me of a wonderful thing that Ford Motor Company had done, in paying some psychologist to do a test. What they found, he said, was that people could distinguish intervals of 100 ms, and would be upset if a power window did not start to move within 100 ms of the driver pushing a button, and would cease to buy Ford automobiles as a result. Due to this, all suppliers of stuff to Ford had to show that messages would arrive at a far corner of a car in much less than 100 ms.

The idea was right, but the questions asked to people dragged in off the street to partake in this test must have been the wrong ones, because the number was wrong. The proper number is 250 ms. What reacts in 100 ms is what is called the "blind sight" area, quite early in the nerve string from eyeballs to the visual area in the back of the head, which corresponds to a frog's "bug detector". It gives information on movement and direction, but no information on what it is, since that information comes from the visual area, and comes later.

For a hungry frog, that is enough. People blinded by rear-brain injury can still point at a moving light, but cannot tell what it is they are pointing at.

It takes 250 ms to realize that it is the window that has started to move in response to the pushing of the window button, and not worry about whether the window motor has failed.

The whole buss system of the American M1 Main Battle Tank is based on a passing comment from a passing General in response to a passing question. He was of the opinion that apparent instantaneous response was anything less than 250 ms. Thus, all responses to any operator

input happens, or starts to happen, within 250 ms, so that the crew will not be worried that something has broken when it does not respond, and be thus distracted from the object of the exercise, which is combat.

In the beginning of development of personal computers, which was about 1982-1983, with papers published in 1983 and 1984, it was well understood that response time was an important aspect of a GUI, Graphic User Interface, pronounced Goo-ey. The papers published were replete with nerve propagation time calculations from eye to vision center to muscle control center to fingertip, so that a user would not worry whether or not the machine had just crashed. Whatever might be the exact reason, it was important to provide apparently-instantaneous feedback, or at least feedback with uniform timing.

That idea has gotten lost, on machines on which it cannot be done, for people who are not apparently upset by delays between key presses and screen delay, or between mouse click and screen reaction that range between imperceptible and several seconds. These machines are designed for the mediocre mass market, and this may be intentional, even if unavoidable. The people who designed early computers, and some later computers that seemed to sell only to some niche groups, thought the lack of even time response would be annoying to the user.

It depends on the user. In context of "publish or perish", a college professor set out to gather up members of the student body to do long division using paper and pencil, while listening to various intensity levels of white noise, expecting a correlation between noise level and decreased performance. What he found, to his surprise, was that most people's speed of calculation was slightly increased by moderate levels of noise, while only a few people had dramatically-decreased speed of calculation with noise of even a low level.

This being done in a college environment, other test data on the subjects was available. Some of this was in the form of entrance tests which measure what is called intelligence. What he found was that those who scored very highly on those tests were those who were most dramatically afflicted by even low levels of white noise. Those who scored lower were those whose calculation speed was enhanced by moderate (non-painful) levels of noise.

The explanation for this resides in the fact that people of high intelligence are already working as effectively as they can, while others benefit from some stimulus to increase their working level. This "speed setting" is done in the human brainstem in the RAS, or Reticular Activation System.

To those whose brains work as fast as they can, imposed stimulus is an annoyance, and feels bad. To others, it is an aid, and feels good.

Uneven GUI response time was thought annoying by the few fairly bright people assigned to work out the characteristics of personal computers, mostly at the Xerox Palo Alto Research Center, when they were being first designed, and they were designed and built to respond quickly and evenly. Some early and some later computers and operating systems incorporated these lessons learned, and they are attractive to people who are annoyed by such unwanted stimulus as uneven GUI response time.

Some later computers have either intentional or accidental or unavoidable variations in response time, and they are attractive to all the rest of the possible users, who like low levels of annoyance, as a

good-feeling aid to enhanced performance.

In the continued absence of fast-enough disk drives, the ones which do not have annoying variations in GUI response speed are the ones with the operating system in ROM. That includes Amiga, Atari, older Macintoshi, and their clones, and some others, whose names I do not know. That excludes DOS clones.

There is a test to measure levels of actual annoyance, even when those presumably annoyed claim to not be annoyed at all. This test was done in research into the effect of urban crowding, to prove that people in crowded conditions are in fact annoyed, even though claiming not to be at all annoyed. It involved measuring the excreted levels of precursor chemicals to those things produced to make one ready to fight hard or run fast, and urinating into those little paper cups. Vanillimandilic acid (VMA) is one of the easily-detected precursors. It is so named because someone tasted it, and thought it tasted like vanilla. I will take his word for that.

And I will continue to enjoy my evening and weekend use of my Atari computer, and be continuously disgusted (and justly so) with the DOS clone I use all of my working day.

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PEOPLE ARE TALKING
compiled by Joe Miranda
jmirando@portone.com

Hidi ho friends and neighbors. Another week has come and gone and it seems that summer has well and truly given way to autumn. I've never been a big fan of high temperatures and oppressive humidity, but I kind of missed summer this year. It seemed that spring showed great promise, but summer just kind of dawdled around and never really 'bloomed'. Now autumn comes along and, at least here in the northeast, shows what autumn is really supposed to be. The leaves are already starting to turn color, the morning air is crisp, and the sun sets earlier and earlier. I just hope that this 'picturesque' autumn heralds a lack-luster winter just as the typical spring led to a lack-luster summer. If there's anything I dislike more than yard work, it's shoveling snow.

I feel sorry for any poor "sod buster" who's got to go out and do yard work. When the wife and I were looking for a house to rent, I was bound and determined to find one where the landlord would assume the responsibility of doing the yard work. Well, I lucked out and found one! My landlord actually enjoys yard work. More power to 'em, I say.

For myself, I tend to find that banging away on my computers, be it the trusty TT or the PC laptop running Linux is the best way to relieve stress and soothe the troubled mind. I guess it's all in what you find relaxing.

Well, let's take a look at what's going on over on the UseNet.

From the comp.sys.atari.st NewsGroup

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Anthony & Russell Hayward post:

"The first release of a brand new Atari STE emulator for Windows is now available. "The Steem Engine" as it is called will run a lot of the game disks available, it's at least as compatible as other freeware emulators available as far as we can tell. It's also designed to be particularly easy to use with a nice interface.

We'd like people to try it and tell us what they think - it is only a small file & doesn't have a nasty installation process.

Have a look at <http://steem.atari.org>

Hope you enjoy the latest recreation of everyone's favourite computer!"

John Garone asks:

"Is anyone else having this problem with their NG server (particularly Earthlink's NG) or could it be a Newsie96 bug? (or both): It's been happening for about a week which leads me to think it's something new from the server that Newsie96 may not be able to handle! After connecting to comp.sys.atari.st, at the end of the list of posts to download from: The first file (by date) is being added a number of times to the end of the list (the date stays the same)! If i click on any one of those last repeated files, all get highlighted. The XOVER.TXT file shows a "Fatal syntax error" message at it's end."

Clayton Murray tells John:

"YES!, this has been happening with me too. The first post also shows up as the last posting, except that there it is repeated about 10 times. This has been going on for maybe 1 to 2 weeks now. I thought it might be my server too, until I read your post. My server is aa.net, and I believe it covers most of western Washington. (USA) I wonder if this is a problem with the atari newsgroup??? Anybody else having this going on? It's not a big problem, but I'd like to know what's causing it."

Francisco Fernandez posts his thoughts on the future for Atari users:

"I've followed your newsgroup since some months ago. I began in the platform back in 1988 when my mother bought us a 520 STEFM. Then, when I realized its serious computing potential, I gave away my XT and convinced her about buying a 1040 STEFM. Later, in 1991 I bought a Mega STE 4 which was my only computer until 1996. Now I am writing this message in an IBM Thinkpad laptop, although I haven't left my Ataris. Moreover, I bought a Falcon MKX only a year ago that I am configuring with the latest OS and productivity software available.

Having observed very closely all the advances in computing (hardware and software) that took place this finishing decade, especially since the introduction of Windows 95 (as Windows 3.x wasn't really a rival for TOS/Mint/Geneva), I think that the Atari platform is still very valid and satisfying for home productivity (that was the market segment it was created for).

Computing is not mainly a question of raw processing power, or making huge amounts of software fill up huge amounts of hard disk space, it is rather a question of having the correct software and knowing about what are your needs and if you have the correct setup to achieve them. In this sense, each new generation of computers covers a new type of applications the last one wasn't able to do.

Every Atari ST with 4 MB of RAM has enough power to cope with these areas:

- * Word Processing (vectorial fonts - WYSING).
- * Monochrome DTP (vectorial fonts).
- * Monochrome vectorial and raster graphics design (illustration oriented).
- * SpreadSheet software calculations and accounting.
- * Scientific calculations and plotting.
- * MIDI sequencing and processing.
- * Low quality preproduction animation.
- * 2D CAD (and 3D object design).
- * Digitized sound processing and composing (tracking), mainly as of STE.

with very satisfying results.

In addition, the 32 bit "big brothers" (Falcon, TT with graphics card) can do the following:

- * Photographic and image processing.
- * Colour graphics design.
- * 3D CAD.
- * Raytracing / rendering.
- * Colour DTP.
- * Real time audio streaming (Falcon).
- * Medium quality animation.
- * Basic Internet navigation.

The new clones (Milan, Hades) have improved the processing power for some of the later areas (not sound handling) and are good computers for a "serious" MC68k Unix setup, but can't cope with the new demanding areas and support for the Unix variants (NetBSD, Linux) is not as good as should be desired, not to mention compatibility with old "bad" TOS software.

I think that if we want the TOS platform running some of today computing uses (digital cinema, MPEG2 recording/playing) is not enough having an accelerated pseudo-clone. For this, new hardware platform is to be developed, perhaps around power PC chips and using something like the excellent Tempest idea to make run straightforward 68K TOS software. This would need a new version of TOS for these new processors with code translation back support for old "good behaved" software. And not only this: if there are no developers to provide application software for those uses is a nonsense to improve the hardware this way. And really do we have such developers among us with enough time and so generous interest, as this surely would not be profitable for them?.

If we can't afford this leap or there is not enough demand for this to be done, I think that our interest should be to have the most compatible machines in hand and warranty that availability in the future.

Perhaps a way could be to establish a non profit foundation (primarily of course, it should have to be maintained and pay for hardware design developments added) and obtain from Hasbro, or whoever holds it, the license to build Atari motherboards and also the schematics of them and the design of custom chips. Then it wouldn't be hard nor expensive to optimize

the design and manufacture the motherboards on demand and this would assure our future hardware needs. If we also obtained the license to distribute freely and offer limited support for abandoned commercial software we could provide with a real useful platform for a variety of uses perhaps to developing countries or those people (home use mainly) or institutions who can't or don't want to afford the price or complexity of modern computing.

Yes, because software is what really matters and we have a good operating system and very stable, we should join efforts to renew all TOS software and make it more hardware independent. This is the direction of today applications as Pixart, Smurf, Eureka, to mention some.

Well, regarding the hardware, our suggested foundation could produce this two computers (motherboards):

1. Mega STE+, a typical Mega STE motherboard with some modifications:

- a. The MMU is altered to address the full 68000 16Mb, making the machine expandable to 14 Mb RAM. Four Mb of these could be shadowed in case of using an VME card.
- b. Instead of having cache, motherboard chips and RAM clock can be switched between 8 and 16 MHz.
- c. Modified video shifter to allow driver-manageable larger resolutions. I think the easiest way is to expand each resolution to double height and width, having then new 1280x800x2 colours, 1280x400x4 colours and 640x400x16 colours modes. Also horizontal output frequency is doubled to allow the use of modern multisync monitors and provide better vertical refresh..
- d. Integrated conversor (like Mario's design) to use standard PC and mouse keyboard.
- e. A case is suminstrated to retain position of external ports in original design (but video out is VGA standard).

2. Falcon030+, an enhanced falcon motherboard in ATX form factor to be installed in an ATX case and the following improvements:

- a. 32 MHz 68030/68882 processor with full 32 bit address and data bus.
- b. Full 32 Mhz RAM and chipset clock.Switchable back to 16 for compatibility.
- c. The video is accelerated to obtain higher vertical refresh.
- d. New designed flexible circuitry (intermediary memory control chipset, as I know that the MMU is included in the 68030 chip but the fact is that address lines are limited somehow to access 16 MB only, and data bus wide is cut down to 16 bit) to access Falcon chipset and ST RAM with 16 bit wide data bus, but access with 32 bit wide bus TT RAM, expandable to 512 Mb or more. This should be the key part of the design.
- e. Built in Eclipse PCI adaptor circuitry (to be decided if 32 or 16 bit wide), retaining the Falcon expansion port for 16 bit add-on cards.
- f. Five PCI slots in ATX positions to allow five PCI cards at once. Some could be:
 - ATI Rage IIC or better card (although this chipset could be on board to share output with the video and switch it internally), this with fvdI can boast resolution and speed of graphics.
 - MPEG2 decoding and TV

tuning card. - Ethernet card. - USB controller to allow fast USB peripherals connection. - Power PC daughterboard.

g. As with the previous design, an integrated PC keyboard and mouse convertor. h. Possibly a full 32 bit expansion bridge for a 32 bit Tempest or CT60 like accelerator.

Well, I don't know if it is possible to obtain all the motherboard components as you have pointed out in some articles. Also with schematics or chips design. This is only a first approach to a way to solve a problem that many of us could suffer in the future: the lack of hardware support.

I hope this reflections may be useful for some and I'd like to read comments from all you."

Bill Freeman posts:

"I have a Yamaha 6416SZX CD-RW drive for my Mac. Is there any Atari software available to use this drive to write CD-Rs on/for my TT? I'm presently using a Syjet to backup the TT, but would prefer to use the CD-R drive for the TT."

Jim Logan tells Bill:

"Anodyne Software (anodyne@cyberus.ca) does a range of programs for reading and burning CDs. I don't know if your particular model is supported but you could ask. Anodyne is particularly helpful."

Greg Goodwin adds:

"Agreed on the "helpful" part. Roger Burrows responded to my email about CW-7502 support by adding it to the program (I have a beta copy -- it'll probably be released in a few months). He also is creating (once again, it's in beta) a program to let you verify your computer will work with his software. I highly recommend him."

Edward Baiz adds his accolades to the pile:

"I agree. I have been using Anodyne's software with my Yamaha CDWR drive and it all works great."

Claes Holmerup provides another option:

"SoundPool's CDrecorder is a really great program and the compatibility list is located here: <http://www.soundpool.de/writer.txt> . There are two versions available - one for audio only and one mostly for data an(d limited for audio), so if you don't need the professional audio features, you don't have to buy the audio version. I've used CDRecorder (both the audio and the data version) for several years on my Falcon and it's always worked very well."

Well folks, that's it for this time around. Tune in again next week, same time, same station, and be ready to listen to what they are saying when...

PEOPLE ARE TALKING

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->In This Week's Gaming Section    - PlayStation2 Ready To Launch!
   " " " " " " " " " " " " " " " " Supreme Court Sends Connectix Back!
                                     Hoyles Casino Games! Nascar!
                                     And much more!
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->A-ONE's Game Console Industry News - The Latest Gaming News!
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## Court Sidesteps PlayStation Dispute

The Supreme Court stayed out of a dispute between Sony and another company whose software allows people to run Sony PlayStation games on personal computers.

The court, without comment Monday, let Connectix continue selling its Virtual Game Station until a lower court rules on Sony's claim of unfair competition.

Sony has sold 50 million PlayStations - small computers with hand controls - that plug into a television set and allow consumers to play games inserted into the computer on a compact disc. The PlayStation's software program is protected by copyright.

In January 1999, Connectix of San Mateo, Calif., began selling the Virtual Game Station, which allows people to run PlayStation games on their own personal computers.

The Virtual Game Station software does not contain any of Sony's copyright material. But in developing it, Connectix used the PlayStation's software program by extracting its code from a chip and copying it repeatedly on its own computer to see how it worked.

Sony filed a copyright-infringement lawsuit, and a federal judge in San Francisco halted sales of the Virtual Game Station in April 1999 pending a ruling.

The 9th U.S. Circuit Court of Appeals lifted that order last February, saying Connectix's action amounted to a "fair use" of Sony's software.

The court said Connectix was a "legitimate competitor" in creating computer platforms on which Sony games can be played, adding that copyright law does not allow Sony to monopolize that market.

In the appeal acted on Monday, Sony's lawyers said the ruling erodes copyright protection for computer programs.

Connectix's actions were "pure free-riding, using the protected work to develop a substitute far more quickly and inexpensively than the

original," Sony's lawyers said. Sony invested three years and \$500 million to develop the PlayStation, its lawyers said, while Connectix took six months and \$150,000 to create its product.

Connectix's lawyers said the company created "an entirely new environment" for playing PlayStation games. A 1998 federal law boosting copyright protections for the computer industry endorsed the process used by Connectix, the lawyers said.

In May, a federal judge in San Francisco threw out seven of Sony's nine allegations against Connectix in the copyright case, allowing Sony to pursue claims of violating trade secrets and unfair competition.

The case is Sony Computer Entertainment v. Connectix, 00-11.

### Sony Computer Entertainment America Inc. Announces Largest Software Library Ever Assembled for a Home Entertainment Product Introduction

New Entertainment Franchises Developed for PlayStation2 Computer Entertainment System from World's Premier Software Developers; 26 Titles Available at Launch with more than 50 Scheduled by the Holidays

With unsurpassed support from the world's premier software developers, Sony Computer Entertainment America Inc. announced Wednesday the groundbreaking launch library of 26 titles for its revolutionary PlayStation2 computer entertainment system, set to launch in North America on October 26th. Further displaying the ongoing support for what many have described as the "biggest consumer product launch in history," an additional 26 titles are scheduled to be available by the holidays, totaling more than 50 new software introductions by year end.

As the undisputed leader in the industry with software shipments exceeding 240 million units to date for its best-selling PlayStation game console in North America, the company is expanding that heritage with an innovative and diverse software library for PlayStation 2 that will redefine consumers' entertainment experiences. In addition to the massive software line-up assembled to support the new system, PlayStation 2 is compatible with the existing PlayStation software catalog of more than 800 titles now on the market, offering the broadest choice of software.

Representing a broad cross section of entertainment genres, the diverse PlayStation 2 library includes titles from publishing leaders 3DO, Acclaim, Activision, Agetec, Capcom, Eidos Interactive, Electronic Arts, Infogrames, Interplay, Kemco, Koei, Konami, LucasArts Entertainment Company, Midway, Namco, Take 2/Rockstar Games, Tecmo, THQ, and Working Designs. Additionally, Sony Computer Entertainment America enjoys unprecedented support for the PlayStation 2 with 270 titles currently in development for the system and 301 content developers and publishers signed-up to create titles for PlayStation 2, accounting for most of the software development community.

"On the cusp of the PlayStation 2 launch in North America, we would like to take the opportunity to graciously thank our hundreds of talented development partners that are bringing consumers and retailers the most ground-breaking software line-up ever unveiled for a home entertainment product introduction," said Andrew House, senior vice president, Sony Computer Entertainment America Inc. "We are pleased to continue building

new franchises for the PlayStation 2 and working with our internal and external development teams to challenge consumers' expectations of entertainment content."

Consumers can find the following titles in October at more than 20,000 retail locations (listed in alphabetical order):

- Armored Core 2, published by Agetec and developed by From Software
- Dead or Alive 2: Hardcore, published and developed by Tecmo
- Dynasty Warriors 2, published and developed by Koei
- ESPN International Track & Field, published by Konami and developed by KCEO
- ESPN X Games Snowboarding, published and developed by Konami
- Eternal Ring, published by Agetec and developed by From Software
- Evergrace, published by Agetec and developed by From Software
- FantaVision, published by SCEA
- Gun Griffon Blaze, published by Working Designs and developed by Game Arts
- Kessen, published by Electronic Arts and developed by Koei
- Madden NFL 2001, published and developed by EA Sports
- Midnight Club: Street Racing, published by Rockstar Games and developed by Angel Studios
- Moto GP, published and developed by Namco
- NHL 2001, published and developed by EA Sports
- Orphen, published by Activision and developed by Kadokawa Shoten
- Q-Ball Billiards Master, published and developed by Take 2 Interactive
- Ready 2 Rumble Boxing: Round 2, published and developed by Midway
- Real Pool, published and developed by Infogrames
- Ridge Racer V, published and developed by Namco
- SSX, published and developed by Electronic Arts
- Silent Scope, published and developed by Konami
- Silpheed: The Lost Planet, published by Working Designs and developed by Game Arts
- Smuggler's Run, published by Rockstar Games and developed by Angel Studios
- Street Fighter EX3, published and developed by Capcom
- Surfing H30, published and developed by Take 2 Interactive
- Summoner, published by THQ and developed by Volition, Inc.
- Swing Away Golf, published by Electronic Arts and developed by T&E Software
- Tekken Tag Tournament, published and developed by Namco
- TimeSplitters, published by Eidos and developed by Free Radical Design, Ltd.
- Top Gear Daredevil, published and developed by Kemco
- Unreal Tournament, published by Infogrames and developed by Epic Games
- Wild Wild Racing, published by Interplay and developed by Rage Software
- X-Squad, published by Electronic Arts and developed by EA Square

More than 10 additional titles are expected to be shipped in November and at least 9 titles in December, totaling more than 50 PlayStation 2-specific software titles in market by the holidays.

November 2000 releases include (listed in alphabetical order):

- Disney's Donald Duck Goin' Quackers, published by Ubi Soft and developed by Disney Interactive
- FIFA 2001 Major League Soccer, published and developed by EA Sports

- F1 Racing Championship, published by Ubi Soft and developed by Video System
- Gradius 3 & 4, published and developed by Konami
- NASCAR 2001, published and developed by EA Sports
- Rayman 2 Revolution, published and developed by Ubi Soft
- Super Bust-A-Move, published by Acclaim Entertainment and developed by Taito
- The Sky Odyssey, published and developed by Activision
- Theme Park Roller Coaster, published and developed by Electronic Arts
- World Destruction League: Thunder Tanks, published and developed by 3DO

December 2000 releases include (listed in alphabetical order):

- Army Men -- Air Attack 2, published and developed by 3DO
- Army Men -- Sarge's Heroes 2, published and developed by 3DO
- Carrier Morphed, published and developed by Jaleco
- Formula 1 2000 CE, published and developed by EA Sports
- MDK 2: Armageddon, published by Interplay and developed by BioWare
- NBA Live 2001, published and developed by EA Sports
- Oni, published and developed by Rockstar Games
- Star Wars Starfighter, published and developed by LucasArts Entertainment Company
- Warriors of Might & Magic, published and developed by 3DO

First quarter of 2001 titles include (listed in alphabetical order):

- 4 X 4 Evolution, published and developed by GOD (Gathering of Developers)
- All Star Baseball 2002, published and developed by Acclaim Sports
- Army Men -- Vikki's Adventures, published and developed by 3DO
- Dark Angel Vampire, published and developed by Metro 3D
- Driving Emotion Type-S, published and developed by Square EA developed by Square
- ESPN MLS Game Night, published and developed by Konami
- Fur Fighters, published by Acclaim Entertainment and developed by Bizarre Creations
- Gauntlet: Dark Legacy, published and developed by Midway
- Gran Turismo 3, published by SCEA and developed by Polyphony Digital
- High Heat Baseball 2002, published and developed by 3DO
- Kengo, published by Crave and developed by Lightweight
- NBA Hoopz, published and developed by Midway
- Onimusha: Warlords, published and developed by Capcom

First quarter of 2001 titles continued (listed in alphabetical order):

- Star Wars Super Bombad Racing, published and developed by Lucas Learning
- The Bouncer, published by Square EA and developed by Square/Dream Factory
- Tiger Woods PGA Tour 2001, published and developed by EA Sports
- Ultimate Fighting Championship, published and developed by Crave
- World Destruction League: WarJetz, published and developed by 3DO

Sierra Attractions Brings the Top Selling PC Casino Game  
to Sega Dreamcast With the Release of Hoyle Casino

Sierra Attractions announced the availability of Hoyle Casino for Sega Dreamcast, the latest product in the popular Hoyle line CD-ROM series. Developed by Sierra's Casual Entertainment Division, Hoyle Casino is based on the #1 best selling Hoyle Casino game for PC and Macintosh. Players will find Hoyle Casino jam-packed with the most popular casino games: Blackjack, Craps, Pai Gow Poker, Poker, Roulette, Slots and Video Poker. Detailed 3-D graphics, interactive play and easy-to-interface make Hoyle Casino fun for all casino game enthusiasts.

"We wanted to take our #1 selling casino game for PC and Macintosh and deliver the same superiority to Dreamcast players," said Steve Van Horn, Sierra's senior vice president and business unit manager for the Casual Entertainment Division. "Since the majority of Dreamcast gamers are over the age of 18, I know that Hoyle Casino will be a must have game for Dreamcast owners."

In Hoyle Casino, players will experience the thrill and excitement of a real Las Vegas casino environment with seven of the most popular and authentic casino games and over 100 variations to choose from. Players can jump right in and play against one of Hoyle's lively animated opponents, each with their own colorful and unique style. Or, to improve one's game, players can play in practice mode where they will automatically be alerted to unwise bets. A "professional" dealer is readily available to provide players with valuable strategies, hints and tips. Players can also keep track of their scores and statistics of each game. All Hoyle Casino games offer endless replay, easy-to-use interface, crisp, colorful graphics, realistic sound and adjustable skill levels to make every game enjoyable.

Available now at the MSRP of \$39.95, Hoyle Casino for Sega Dreamcast and can be ordered directly by calling 800-757-7707. The Hoyle line CD-ROM game series from Sierra sold over 1.3 million copies in 1999, according to PC Data. Sierra Attractions has just released Hoyle Casino, Hoyle Card Games, Hoyle Board Games, Hoyle Word Games and Hoyle Kid Games for Windows and Macintosh and will release Hoyle Card and Hoyle Casino for Game Boy Color in October of 2000. For more information visit [www.hoylegames.com](http://www.hoylegames.com).

#### Codemasters Ships the Future of Racing: Jarrett and Labonte Stock Car Racing

The world leader in racing games announced today that it has shipped the fastest, fiercest and most realistic racing game ever. In Jarrett and Labonte Stock Car Racing for PlayStation, gamers turned NASCAR drivers Jason Jarrett and Justin Labonte bring their expertise and maverick motor skills to the global racing circuit. The game is available for the SRP of \$39.99.

Jarrett and Labonte Stock Car Racing, the first racing game to feature special momentum prediction engines for superior handling that allows the player to feel the road and the other cars, as well. High speeds, collisions and near misses are all part of the multi-national experience. In addition to tracks in the U.S., like Road America and Laguna Seca, the drivers have raced on, Jarrett and Labonte Stock Car Racing gives players the chance to experience intercontinental racing action on the most challenging racetracks in Europe, North America, South America, Australia and Asia. There are a total of 23 internationally recognized tracks to choose from. Racers can conquer these tracks with their choice of 42 famous make cars, which include Ford, Chrysler and BMW.

Players will have the opportunity to choose to race as either Jarrett or Labonte in the highly addictive Championship Mode. A special bonus to be included will be commentary provided by the young Jarrett's paternal grandfather Ned Jarrett, who, at 67, is regarded as one of the most respected and venerable figures in the sport. Ned Jarrett has been providing color commentary for televised races for over 30 years.

Another pair of gamers turned drivers, Lyndon Amick and Hank Parker, Jr., have also endorsed Jarrett and Labonte Stock Car Racing. Racing enthusiasts will revel in the realistic special effects. The game's racing car engines feature momentum prediction systems for premium handling and crash dynamics creating an exhilarating racing experience. All car sounds have been recorded using industry standard sound to make players feel like they're next to the real thing.

"I love how you can change the set-up of the cars to better fit your driving style," said Justin Labonte. "When I drive a real racecar, we're constantly adjusting different things on the car to make it handle better, and you can do the same thing in this videogame."

Cars also reflect wear and tear with dynamic polygon deformation damage systems. Spectators can experience the action along with players with reactive replay cameras, which offer 360-degree time slicing.

"In the game, if you race the other cars cleanly, they'll pretty much leave you alone. But if you're beating and banging on another car, chances are they're going to come right back at you and do the same to you," said Jason Jarrett. "You see that kind of payback everyday on the racetrack, so it's cool to see it in a video game."

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A-ONE's Headline News  
The Latest in Computer Technology News  
Compiled by: Dana P. Jacobson

#### Napster Hearing Ends with No Decision

High-tech upstart Napster Inc. faced off against the giant U.S. recording industry in federal appeals court Monday, submitting legal arguments in a historic case to determine the future of copyright protection in the Internet age.

The three-judge panel of the 9th Circuit Court of Appeals in San Francisco made no immediate decision on a request by the Recording Industry Association of America (RIAA) for a ban on Napster -- meaning the wildly popular Internet song swap service can stay in business for at least the next few weeks.

Legal experts expect the judges to take the matter under consideration and issue a written ruling on whether to issue an injunction against Napster at a later date.

Monday's hearing marked the latest clash between Napster, which was founded by a college student and has grown to boast some 30 million users, and the RIAA, which represents some of the most powerful recording companies in the world.

It is a standoff which has transfixed both fans of popular music and innovators of high technology, and could well define how books, movies and music are distributed in a world wired for computers.

Napster, based in Redwood City, Calif., lets fans swap songs for free by trading MP3 files. MP3 is a compression format that turns music on compact discs into computer files.

In July, U.S. District Court Judge Marilyn Hall Patel found that Napster was guilty of "wholesale" infringement of music copyright and ordered it shut down pending a full trial on the issue. The 9th Circuit quickly stayed that decision, however, saying it needed more time to consider.

Monday's hearing was an opportunity to plead the case once more. Both sides see it as a life-and-death issue -- with Napster arguing that any injunction would kill it off for good, while the recording industry says the service must be banned to uphold the essential principals of copyright law.

In the suit, Napster faces powerful recording companies such as Seagram Co. Ltd.'s Universal Music, Bertelsmann AG's BMG, Sony Corp.'s Sony Music, Time Warner Inc.'s Warner Music Group and EMI Group Plc.

Napster accuses the recording industry of seeking to keep an immensely lucrative chokehold on music distribution. It also says that by seeking to crush it outright, the RIAA is overstepping legal precedent and ignoring the many legitimate uses Napster software provides.

Lawyers for the RIAA argue that Napster's use of MP3 technology had turned it into little more than a cover for high-tech music piracy, saying that the service was essentially set up to help infringe music copyrights.

In court Monday, lawyers for Napster sought to invoke a 1984 legal decision which validated the use of video cassette recorders despite their potential copyright infringement capability. But one of the judges, Robert R. Beezer, apparently rejected that comparison.

"Is a directory or compilation of copyrighted materials a mechanical device? A VCR is a recording device, the same is not true of a compilation of songs," Beezer said.

With the legal case proceeding, industry attention is focusing on the possibility for some kind of settlement between the two sides. Napster Chief Executive Officer Hank Barry said recently his company had tried to appease the record companies, suggesting a compromise under which it would charge users a \$4.95 monthly membership fee to generate some \$500 million in revenues for music companies and musicians.

But he said the offer had been rebuffed by an industry determined to resolve the issue in court.

"I think we have a good faith disagreement and I'm hopeful for a good faith outcome," Barry told Reuters Monday. "We're disappointed that we're here in court. We'd rather be negotiating an agreement."

Cary Sherman, a lawyer representing the RIAA, said the two sides had "a civilized disagreement" but poured cold water on the idea of a settlement. "I don't think anything will stop the court train," he told Reuters.

As the case headed back to court Monday, millions of Internet music lovers flooded Napster's site for last-minute copies of their favorite tunes, apparently fearing the service could be shut down.

"Napster users are acting like kids in a candy store, grabbing as many MP3's as they can get their hands on," said Stacey Herron, an Internet music analyst with market research firm Jupiter Communications in New York.

Napster's surging popularity illustrates the difficulty that old-line recording companies will have even if the appeals court ends up ruling their way.

Since the Napster case started making headlines last year, the service has seen its user base explode -- and has also seen a number of similar, high-tech rivals appear including such online services as Gnutella, Aimster and Freenet that harness the power of the Internet to distribute entertainment directly to consumers via their home computers.

"This will set an important precedent," Herron of Jupiter Communications said. "Napster is going to be the example governing how copyright issues are handled on the Internet."

#### Judges Questions RIAA Over Napster

Three federal appeals judges put the onus on the recording industry Monday, grilling its attorneys with questions about why a lower court's injunction against Napster Inc. should be reinstated and the song-sharing service shut down.

The panel of the 9th U.S. Circuit Court of Appeals peppered recording industry lawyers with queries, trying find out how exactly Napster's service should or could be monitored to weed out the trafficking of copyrighted music among what Napster claims are 32 million users.

Judge Robert Beezer told Russell Frackman, a lawyer representing the Recording Industry Association of America, that asking Napster to keep tabs on music traded by its users might be too much to handle.

"How are they supposed to have knowledge of what comes off of some kid's computer in Hackensack, N.J. to a user in Guam?" Beezer asked.

Frackman said the answer lies in Napster's ability to take a list of copyrighted song titles and redesign its service not to transmit those files.

The hearing was part of the continuing legal battle between Napster and the RIAA, which alleges that Napster contributes to copyright infringement by allowing millions of users to search for music with its MusicShare directory and then download directly from each others computers. The recording industry considers this case pivotal in its battle against online piracy.

Attorneys for each side had 20 minutes to make their case Monday. The judges adjourned without reaching a decision, which could come at any time.

Through its questions, the appeals panel suggested that U.S. District Court Judge Marilyn Hall Patel's injunction shutting down Napster prohibited legal uses of the music-sharing software, such as the trading of noncopyrighted music.

David Boies, who successfully prosecuted the government's antitrust case against Microsoft Corp., said reinstating Patel's injunction would cripple Napster's service.

Patel's injunction against Napster in July said the small Redwood City-based company was encouraging "wholesale infringing" against music industry copyrights.

But hours before Napster's computer servers were to power down, the appeals court stayed the injunction, keeping the company's service alive.

Napster also claimed the promotion of artists who permit their songs to be shared would be hurt by reinstating the injunction, adding that the 1984 Supreme Court decision allowing Sony to continue manufacturing VCRs that can duplicate copyrighted materials also covers Napster's service.

But Frackman argued that Napster was specifically created to aid users engaging in copyright infringement. Frackman said the music industry is not "trying to stop the Internet," but wants to stop Napster from allowing its users to swap pirated music.

Napster, started in a Northeastern University dorm room last year, pioneered the concept known as peer-to-peer computing, in which people share files from their own computers rather than a central server. In Napster's case, users can download music from each other that is stored in the MP3 format.

Napster chief executive Hank Barry said the company has been in discussion with individual record labels about a possible settlement, but no deals have been reached.

One solution might be a monthly fee to use Napster's service, though Barry said that is just one of several proposals he has put on the bargaining table.

"Whether \$4.95 a month or \$1.99, the whole structure of this thing is trying to compensate artists," Barry said. "We're willing to pay very substantial amount to the artists. With a very conservative estimate, the first-year payments to the artists would be in the neighborhood of a half a billion dollars."

Another company, MP3.com, allows users to listen to, but not download, copyrighted songs stored on its own computers. It has settled lawsuits brought by four record labels but in September lost a copyright-infringement case brought by Universal Music Group. That case is likely to reach the Supreme Court.

Even if the recording industry succeeds in shutting down Napster, it still faces the enormous challenge of trying to halt the online swapping of pirated digital music.

Unlike Napster, popular programs such like Gnutella and Freenet allow users

to swap music without going through a central server. Experts say shutting down such services would be next to impossible because of the Internet's very nature.

Hilary Rosen, president and CEO of the RIAA, has said she hopes for "increased cooperation between innovation and industry" to get more music available online.

"It is really awfully hard in the marketplace today to compete with free," Rosen said Monday.

### Napster Unveils New Idea for Service

With the fate of Napster Inc. awaiting a decision by a federal appeals court, the head of the company has a new idea for saving the Internet music sharing service: Get people to pay for the privilege so the artists can get a cut.

The music industry sued to shut down Napster, claiming it contributes to copyright infringement by allowing its purported 32 million users to download music directly from each others' computers. The recording industry considers the case pivotal in its battle against online piracy.

After arguments Monday before the 9th U.S. Circuit Court of Appeals, Napster CEO Hank Barry floated the possibility of setting aside his company's differences with record labels by coming up with a business plan for monthly fees to download music. Artists would be compensated from the proceeds.

"Whether \$4.95 a month or \$1.99, the whole structure of this thing is trying to compensate artists," Barry said. "We're willing to pay very substantial amounts to the artists. With a very conservative estimate, the first-year payments to the artists would be in the neighborhood of a half a billion dollars."

Napster, started in a Northeastern University dorm room last year, pioneered the concept known as peer-to-peer computing, in which people share files from their own computers rather than a central server. In Napster's case, users can download music from each other that is stored in the MP3 format.

Some of Napster's users were online in the company's chat rooms Monday bemoaning the prospect of paying for something they were used to getting for free.

"I might pay. If I had to I probably would," said Jake Becker of St. Clairsville, Ohio, told The Associated Press. "I'm 16 and I don't work yet. I'm looking for a job so I can get my car and I don't need to be spending my money on Napster."

During Monday's hearing, Judge Robert Beezer, a member of the three-judge panel examining a lower court judge's preliminary injunction against Napster, told a recording industry lawyer that demands that Napster scale back or shut down might be a tall order considering the nebulous nature of the Internet.

"How are they supposed to have knowledge of what comes off of some kid's

computer in Hackensack, N.J., to a user in Guam?" Beezer said.

The lawyer, Russell Frackman, representing the Recording Industry Association of America, said the answer might lie in having Napster redesign its popular service so as not to transmit copyright files.

The appellate judges adjourned without reaching a decision, which could come at any time.

Through pointed questioning, the judges appeared to suggest that U.S. District Court Judge Marilyn Hall Patel's injunction in July shutting down Napster could prohibit legal uses of the music-sharing software, such as the trading of noncopyrighted music. The 9th Circuit stayed that order hours before it was to take effect in July.

Napster's lead attorney, David Boies, who prosecuted the government's antitrust case against Microsoft Corp., argued that Napster is merely an Internet service provider and should not be held responsible for all the activities of its users.

Crucial to Napster's case is a 1984 Supreme Court decision that allowed Sony to continue manufacturing VCRs that can duplicate copyrighted materials. Attorneys for the company claim that ruling also covers Napster's service.

But Frackman argued that Napster was specifically created to aid users in infringing copyrights. He said the music industry is not "trying to stop the Internet" - but simply trying to stop Napster from allowing pirated music to be swapped.

Barry said the company has been in discussion with individual record labels about a possible settlement, but no deals have been reached.

#### Microsoft Releases Appeal Proposal

Microsoft Corp. asked an appeals court Monday for permission to file four times the amount of paperwork on its antitrust appeal, listing 19 separate issues it hopes to address.

In its scheduling proposal, Microsoft asked the U.S. Court of Appeals for the District of Columbia Circuit to allow briefs of up to 56,000 words from both the software giant and the U.S. Justice Department, with responses of up to 28,000 words each.

Microsoft also wants 60 days for each side to file their first briefs, and another 30 days for Microsoft to respond to the government's charges.

The company said the extended lengths were necessary to address "a case of this magnitude and complexity, in which Microsoft's very corporate survival is at issue."

The Justice Department disagreed.

"Microsoft's proposal would unnecessarily delay proceedings and postpone resolution of the appeal," said Justice spokeswoman Gina Tallamona.

In June, U.S. District Judge Thomas Penfield Jackson ordered that, as a

result of breaking federal antitrust law, Microsoft be broken up into two separate companies: one selling computer operating systems, and the other in charge of Microsoft's other software and initiatives.

Microsoft even cites Jackson in its scheduling arguments. At an antitrust conference last week, the judge was quoted in media reports as saying, "Virtually everything I did may be vulnerable on appeal."

To that end, Microsoft also gave brief summaries of the 19 points it hopes to appeal, from the judge's use of what Microsoft calls inadmissible "hearsay evidence" to whether Jackson made a mistake in calling Microsoft a monopoly.

The Justice Department is expected to file its own scheduling proposal Thursday. Microsoft has until Oct. 10 to file a response to the government's proposal.

### Microsoft Wants More Appeals Time

Microsoft accused the government Thursday of trying to "short-circuit the appellate process" as the company sought more time to appeal a federal judge's order breaking up the software giant.

Microsoft asked the U.S. Court of Appeals for the District of Columbia Circuit for four months to prepare its case. That is substantially more time than the Justice Department requested.

The Clinton administration early this week pressed for an expedited appeals process, saying there was "a compelling public interest" to wrapping up the antitrust dispute.

Microsoft responded Thursday by saying that in a case of this size, "if there is no threat of irreparable harm - and none has been shown here - the 'compelling public interest' is in a proper disposition of the case, not in one reached in haste."

The company's reply was filed before the Tuesday deadline set by the court. Justice filed its brief two days early.

The company said the 19 issues it plans to appeal and the many technological details of the case warrant a court schedule far longer than federal appellate guidelines.

The Justice Department's antitrust division proposed that all briefs be submitted by Dec. 22, followed by an oral argument to be set for January.

In its initial filing on Monday, Microsoft attacked nearly every part of U.S. District Court Judge Thomas Penfield Jackson's ruling, even citing his comments to a newspaper that almost everything he did would be subject to appeal.

It also objected to the judge's comments and conduct outside the courtroom.

In Thursday's filing, the company criticized the government's unsuccessful attempt to get a quicker final review by sending the case directly to the Supreme Court. The high court refused to hear the case, sending it back to the appeals judges.

“It is truly remarkable that appellees now seek to shift to Microsoft the blame for, and the burden of, the delay that resulted from their tactical decision to seek direct review in the Supreme Court,” the company’s lawyers wrote.

Government officials and analysts have speculated that Microsoft is trying to delay the proceedings until the fast-paced computer market changes in the company’s favor or a Republican administration comes to power in January.

Earlier this week, two of the state attorneys general who joined the lawsuit, Richard Blumenthal of Connecticut and Thomas J. Miller of Iowa, said they would pursue the breakup of Microsoft even if Republican George W. Bush wins the presidency in November and decides to settle for a lesser penalty.

In June, Judge Jackson ruled that Microsoft had abused its monopoly power to suppress competition. He ordered it broken up into two companies: one selling the Windows computer operating system, and the other in charge of Microsoft’s other software and Internet products.

#### MP3.com Launches E-mail Campaign

MP3.com Inc. is launching a political campaign to support a bill that would make it legal to store music digitally and listen to songs over the Internet.

The bill could potentially end a legal battle the company is facing over charges of copyright infringement.

Dubbed the “Million E-mail March,” the campaign supports a bill introduced this week by U.S. Rep. Rick Boucher, D-Va., and three Republican co-sponsors.

The bill would amend federal copyright laws to make it legal to create a digital copy of a recording, known as an MP3 file, after first proving ownership of the music. Consumers would then be able to send that file over the Internet and listen to the digital copy from a remote location.

It’s just that activity that resulted in a landmark legal case brought by the five major music labels against San Diego-based MP3.com. The company introduced its “My.Mp3.com” listening service earlier this year, which allowed a listener to briefly insert a compact disc into a computer to prove ownership of the CD, then listen to a digital copy of the music already stored on a computer at MP3.com’s headquarters.

Mp3.com argued it should only have to buy and store one copy of a CD on its computers and allow multiple users to listen. The record companies argued the system shortchanged them and violated their copyrights because MP3.com was allowing millions of people to listen to one CD.

The My.Mp3.com service differs from the music-sharing Web site Napster, which faces legal challenges of its own, because it merely sends the music to listening devices, such as a computer or a wireless music player. Napster lets users download an actual computer file and make copies of it.

Four of the five record labels settled the case and granted MP3.com licenses to continue the service. The fifth, Universal Music Group, pursued the case.

Earlier this month, a federal judge in New York ruled that MP3.com violated copyrights of music companies and awarded Universal Music Group \$25,000 per CD - a penalty that could reach as much as \$250 million. The company plans to appeal, and the case is likely to reach the U.S. Supreme Court.

Boucher said Thursday that if his bill becomes law before a final ruling is issued, it could make the case against Mp3.com moot.

"If this passes before a final judgment is entered, I would assume the statute would take full effect," Boucher said. "The four companies that have licensed this technology understand its power and are opting to use it to their advantage. One company, for reasons that are less than apparent, has decided to pursue the extinction of this company."

Representatives of Universal did not immediately return a call for comment.

Boucher said the kind of technology developed by MP3.com and made legal by his bill would allow music buyers to listen to their stored-up songs in their car once satellite Internet access is perfected, in their office or from a friend's computer. The bill would only apply to music that is sent, or "streamed," not music that is downloaded.

"Copyright owners lose nothing by virtue of the technology Mp3.com is using," he said. "It frees the Internet user to obtain the music he already owns over the Internet."

In effect, Boucher's bill is aimed mainly at benefitting Mp3.com, which has prompted a group of organizations representing music companies, composers and movie studios to oppose the plan.

"If Mp3.com's proposal were enacted, it would set a precedent for other commercial enterprises to refuse to pay for the transmission and copying of any copyrighted material over the Internet," stated a letter sent by the Recording Industry Association of America, the Motion Picture Association of America and others.

"The Mp3.com proposal would eliminate the incentive to make available creative products on the Internet, to the detriment of artists, songwriters and the American people."

Boucher said his bill will not be considered before Congress recesses in several weeks. He said he will introduce the bill when the next session convenes in January.

"We introduced it now to educate members of Congress about the potential for using the Internet in a manner that does not cost copyright owners anything but at the same time adds an enormous amount of convenience to users," he said.

The MP3.com campaign is aimed at flooding Congress with e-mails in support of the bill and mobilizing music consumers to lobby candidates, the company said.

"The goal is to inform politicians that there is a huge audience of CD owners that this is an important issue to," said Michael Robertson, chairman and chief executive of MP3.com.

## AOL Endorses New Opt-Out Online Privacy Laws

America Online Inc., the world's biggest online services company, endorsed on Tuesday making consumers choose to be exempted from having their personal data shared but critics called it a flawed approach to protecting privacy on commercial Web sites.

In testimony to a Senate panel mulling privacy bills, AOL urged lawmakers to stop short of mandating that consumers "opt in" -- make an informed decision -- before data collected about them online could be used for purposes other than the transaction at hand.

"In the diverse online marketplace, we believe it is impossible to mandate a 'one-size-fits-all' solution to consumer choice," George Vradenburg, AOL's senior vice president for global policy, told the Senate Commerce Committee.

One of the chief criticisms of the "opt-out" regime favored by AOL is that it typically involves wading through a convoluted process to curb third-party use of data on personal tastes and behavior.

Vradenburg said AOL, one of the first major online players to back new privacy-enhancing laws, sought to balance privacy initiatives with "consumers' desire for personalization, customization and the other exciting benefits of the interactive medium."

Vradenburg praised an approach by panel chairman John McCain, a Republican of Arizona, who is seeking to give "notice" of and "choice" in the use of personally identifiable information collected online.

Privacy advocates told the panel that an "opt-in" regime was inherently more democratic than an "opt-out" regime of the type favored by AOL.

"Privacy protection should aim for informed decisions, not defaults," Jerry Berman, executive director of the Center for Democracy and Technology, a Washington non-profit that tracks civil liberties on the Internet, said.

With opt-in, Web sites tell online visitors what would be done with their personal data, including possible resale, and visitors make the decision to go along or go away.

"This is the same sort of 'informed consent' system that has become the standard in medicine, banking and other areas," testified Simson Garfinkel, an Internet entrepreneur and the author of "Database Nation: The Death of Privacy in the 21st Century."

Online technology allows far-reaching profiling of private behavior. Congress is moving toward responding to the new technology at the behest of the Federal Trade Commission, which sought new powers in May to police commercial Web sites.

The Electronic Privacy Information Center, another Washington non-profit civil liberties monitor, praised the affirmative "opt-in" consent model in a bill rolled out by Democratic Sen. Ernest Hollings of South Carolina.

“In fact, privacy notices without other substantive rights operate more like warning labels or disclaimers than actual privacy safeguards,” the center’s Marc Rotenberg testified.

McCain said the Commerce Committee would hold more privacy hearings in January or February, in the next session of the new Congress.

He committed himself to moving a bill out of committee and working for its passage in the Senate despite the opposition of much of the online world, which favors self-regulation.

In throwing its weight behind new privacy-enhancing laws, AOL said the industry had come a long way in creating and promoting best practices for protecting consumer privacy.

“Just as the U.S. financial markets are thriving under this type of enforcement-based model for securities law, so, too, will e-commerce continue to thrive if Congress enacts an enforcement-based approach to consumer privacy,” Vradenburg said.

#### Microsoft Bails Out Rival Corel

Microsoft says it gets a great new .Net partner. Corel says it gets badly needed financial backing. No one utters the word “Linux.”

Microsoft Corp. has purchased \$135 million worth of stock in struggling Canadian software maker Corel Corp., in a move characterized as a strategic alliance targeting Microsoft’s .Net software development platform.

The announcement after the market closed Monday sent ripples through the open-source community, but neither company was talking about what the deal could mean in terms of Linux.

Corel has a version of Linux optimized for the desktop. Corel’s WordPerfect desktop suite runs on a variety of operating systems, including Linux. A number of industry watchers have been speculating for more than a year that Microsoft was interested in porting its own Office desktop suite, although Microsoft has said it currently has no such plans.

Corel, which was best known for its WordPerfect and CorelDraw graphics software until last year’s leap into the Linux market, has been grappling with a cash crunch and stalled sales for its older product lines.

In a joint conference call, executives from the two companies did not once mention the word “Linux.” In response to a reporter’s question about whether the deal meant that, at some point, there could be “Linux on .Net,” interim Corel CEO Derek Burney said it “just might.”

The two companies offered no further elaboration on his statement.

Instead, the two companies emphasized that Microsoft had invested in Corel in exchange for Corel’s commitment to back Microsoft’s evolving .Net development platform, which consists of a common language run-time and set of class libraries, due out next year, upon which developers will be able to write applications that work with Microsoft’s forthcoming .Net products and services.

Corel's alliance with a former rival -- the company got burned in 1997 after it bought WordPerfect and pitted it against Microsoft's Word software, a fight that left Corel bloodied and battered -- comes during a troubled year for the company and less than two months after founder Michael Cowpland quit the company.

The two companies declined to discuss a statement in the press release they issued, which stated that, as a result of the Microsoft investment in Corel, "both companies have agreed to settle certain legal issues between Corel and Microsoft."

Asked for clarification, Burney hinted that there were unresolved issues over Visual Basic for Applications licensing although he said Corel had not initiated any legal proceedings against Microsoft.

Tom Button, general manager of Microsoft's developer division, denied there were any outstanding legal issues and declined to comment further on the legal matter.

"This signifies a start in the new era of our relationship," said Button of the Microsoft investment in Corel. "We get an ISV (independent software vendor) of the stature of Corel to target the .Net platform and services. Microsoft gets an investment in an attractively valued ISV."

Corel said it will use the Microsoft investment monies to engage in joint development and marketing programs. Corel will ".Net" its applications and products, Burney said, but offered no explanation of how or when it will do this.

Last week, Corel's chief financial officer said the company was "taking steps to supplement our cash reserves ... We are constantly evaluating partnership opportunities that may provide additional cash."

The deal provides for Microsoft to purchase 24 million of Corel's non-voting convertible preferred shares at \$5.625 a share. Corel will gain access to the cash immediately.

Button said Microsoft would have no control over the company, no seats on the board and no involvement in its management, but was interested only in Corel's research capabilities and applications.

#### Maxtor Buys Rival Quantum to Become Biggest Drive Maker

Disk drive maker Maxtor announced today that it will buy Quantum's hard drive business in a deal that will create an industry-leading hard drive maker worth approximately \$2 billion.

Maxtor chief executive Mike Cannon will be CEO of the combined company, which will retain the Maxtor name.

With the merger, Maxtor will likely leap to first place in the drive market, surpassing longtime rival Seagate Technology, but it's a victory amid spoils. Despite a booming storage market and strong PC growth during the past three years, hard drive manufacturers have been battered by low prices, declining profit margins and layoffs.

In March, for instance, Seagate was broken into two parts, with the hard

drive group becoming a private concern once again. Still, the increasing need for storage in e-commerce and new consumer devices that depend on hard drives, such as the digital VCR, could open new markets.

The stock transaction, in which shareholders of Quantum's hard drive business--Quantum HDD--will receive 1.52 Maxtor shares for every Quantum HDD share. Based on current prices, that puts the purchase price of the company at more than \$1 billion.

The transaction will be tax-free to both companies and their shareholders, Cannon said this morning in a conference call.

Maxtor expects to incur a one-time charge related to the merger between \$100 million and \$180 million. In the long term, the company said it expects to see annual savings between \$120 million and \$180 million within 18 to 24 months following the transaction's close.

The combined companies should ship 50 million hard drives annually, with annual revenue of \$6 billion and market capitalization of about \$2 billion, Cannon said.

At the close of regular trading, Maxtor shares were down 53 cents from the opening price, or about 5 percent, to \$9.25. Quantum HDD shares climbed 37 percent to \$13.13.

The sale affects only Quantum's hard drive operation, according to Quantum chief executive Michael Brown, who will join Maxtor's board. On completion of the merger, Quantum's storage systems and digital tape drive businesses will operate as a separate, standalone company under the Quantum Corp. (NYSE:DSS - news) name, he said.

Brown will head the new Quantum operation, which expects to incur additional one-time charges for the conversion of employee stock options. The storage-systems tracking stock will be renamed as Quantum Corp. stock.

Through the merger, the two companies hope to stay strong in an increasingly competitive personal storage market, in which a declining price per megabyte has sapped profits and forced a shakeout among leaders.

Despite solid operational performances, Brown said, both businesses found growth and financial return "constrained by industry dynamics that neither company has been able to overcome on its own."

The companies hope to benefit from streamlined and more cost-effective manufacturing and to position themselves for growth into new markets, such as hard drives for consumer electronics.

"Maxtor and Quantum HDD (the hard drive unit) together has a complementary range of products that extends from drives for internal PC customers to more performance-oriented, high-capacity desktop products," Cannon said.

Neither company had been able to match rival Seagate, which led the hard drive market during the first quarter, according to market researcher Dataquest. Seagate had a 21.4 percent share of the market, compared with Quantum's 17.7 percent. Fujitsu and Maxtor were in a dead heat for the third spot, with 13.5 percent each.

Little changed from the first quarter of 1999 for Seagate, Quantum and Maxtor, which respectively had 19.9 percent, 17.3 percent and 13.4 percent of the market. In that earlier period, however, IBM held the No. 3

position in the first quarter of 1999 with a 13.7 percent share, according to Dataquest.

Surprisingly, one hard drive rival sees the merger as a good thing.

"First and foremost, I think this is a very positive event for the drive industry. It was pretty clear that the industry could not operate the way it had been without a structural change," said Matt Massengill, chief executive of Western Digital.

Like other drive makers, falling PC prices have lowered Western Digital's margins even as demand for storage increases.

"It means there is one less company on the market floating bids to the customers," Massengill said.

While Massengill praised Maxtor's CEO, he said the transition is bound to erode market share. "No matter how you slice it, there will be some loss of share, and we undoubtedly will receive some of that."

Besides focusing on hard drives sold directly to PC makers or through retail, the new Maxtor will step up its focus on the network-attached storage market, Cannon said. It also hopes to tap combined engineering resources "to sustain investments in Intel server-class drives, consumer electronics drives (and) small-form-factor drives."

The merger is contingent upon regulatory and stockholder approval. Hyundai Electronics, which holds a 35 percent stake in Maxtor, has agreed to vote in favor of the transaction.

### Final Beta of Netscape 6 Arrives

Netscape Communications Corp. on Wednesday will release the third and final beta version of its Netscape 6 browser, which is available for free download. At the same time, the company is launching its redesigned Web site.

Both initiatives are aimed at attracting -- and retaining -- the modern professional Internet user -- a critical target group for the Mountain View, Calif., company.

"Our mission is to serve the modern professional, who wants the best technology and easiest access to all the information he needs," said Susan Mernit, Netscape's vice president of programming, designs and production. "Much of the redesign has revolved around giving users easy, streamlined access to business, personal finance and small-business information."

Netscape has also aggregated shopping, technology and entertainment on the Netscape.com site. The new design has six tabs going horizontally across the bottom of the page, each with links to content from partners that changes dynamically throughout the day.

The core Search and Web application features remain prominently positioned at the top and center of the page. "While there is no new technology on the site, we have built in a lot of features to integrate ... with the Netscape 6 browser that make it easier for the user to find and access the information they want," Mernit said.

On the browser front, Netscape 6 Preview Release 3 is available in both English and Japanese and features added functionality and greater stability, officials said. As Japan is one of the firm's key non-U.S. markets, Netscape wants feedback from Japanese users, particularly as Version 6 stresses the application of double-byte characters, said Michael La Guardia, the director of product marketing for Netscape's client division.

"It is designed for convenience across multiple platforms, and we have emphasized the customization, security and connectivity across these platforms. The most visible difference from PR2 will be the streamlined and user-friendly interface," La Guardia said.

Netscape 6 will include enhancements to Netscape's current Internet suite of applications: Netscape Navigator, Netscape Mail, Netscape Instant Messenger (powered by AOL Instant Messenger) and Netscape Composer.

While the previous beta version concentrated on rounding out the feature set, PR3 focuses on stability and paves the way for the final version of Netscape 6, which is expected to be released before the end of the year.

The beta is available at [www.netscape.com/download](http://www.netscape.com/download).

One of the criticisms from beta testers was that the large number of tabs available in the My Sidebar feature were difficult to manage and needed to be better structured. As a result, the new version will have five default tabs at its core, with another 10 that can be enabled.

One of the features is a new address book synchronization, allowing users to view their address book contact information from anywhere on the Web. Shopping and WebCalendar applications have also been added, taking the number of My Sidebar tabs to more than 600.

Netscape, a subsidiary of America Online Inc., has reported a sharp growth in registered users so far this year. That number now stands at 33 million, officials said, a 10 million increase since January. The firm is hoping the combination of its new Web site and Version 6 browser will further increase that number.

### FTC To Apply Law to Web Sites

Contrary to a federal directive, major government Web sites including the one operated by the White House are not adhering to a law that requires companies to obtain parental consent before soliciting personal information from children.

The White House Web site invites children to submit personal information, such as their name, address and age along with e-mail messages to the president and first family.

Sites operated by the Environmental Protection Agency and NASA also collect personal information from children who submit art work to be posted on the site. Both agencies show the child's name, age and hometown along with posted drawings.

Federal law that took effect earlier this year requires private sector Web

sites to protect the privacy of children. The law does not apply to government sites, but the Office of Management and Budget recently ordered federal agencies to comply with the statute.

The Federal Trade Commission is readying a crackdown on commercial sites that fail to comply with the law.

"My jaw dropped," said Jim Harper, administrator of Internet privacy site Privacilla.org. "This very concern with commercial Web sites giving where children lived and what their ages are was the supposed justification for COPPA (Children's Online Privacy Protection Act)."

The federal law requires commercial Web sites to carry privacy policy statements, get "verifiable parental consent" before soliciting information, and give an opportunity to remove the information.

Peter Swire, OMB's chief counselor for privacy, refused to say in an interview whether the government sites would be investigated or any of their content changed. He stressed that the law was targeted against commercial sites, and that the administration tried to exceed those standards.

"We comply with the spirit of COPPA, given the special legal rules that apply to the White House," Swire said, adding that the Presidential Records Act would keep the correspondence secret for up to 12 years.

Swire also said that all federal Web sites have been directed to provide their privacy practices along with their budget request at the end of the year, though there is no plan to audit the agencies to review their practices.

"We think that putting privacy compliance into the agency's budget process is a new and useful tool for spreading good privacy practices throughout the federal government," Swire said.

Harper says he has no objection to how the government sites communicate with children, calling the methods "neat." But he points to how businesses have had to remove seemingly harmless content to comply with the law.

"This illustrates the kind of things that commercial Web sites would be doing," Harper said. "But rather prematurely the COPPA law cut off the right of commercial Web sites to provide this kind of interaction."

A company that has run afoul of COPPA, now calling it a "terrible law," said the government obviously has no ill will toward children and they were both caught in the same trap.

"COPPA goes far beyond limiting the practice of a business collecting personal information for its own use, to include the responsibility that the business not provide any tool or service that would permit a child to send their personal information to anyone," said Steven Bryan, CEO of Zeeks.com, a site aimed at children.

Zeeks.com had to take down its chat area, free e-mail system and other features because they couldn't afford the cost of getting and verifying a parent's permission.

Bryan said the features were always monitored and had security systems to check for suspicious activity.

Lee Peeler, the FTC's associate director for advertising practices, was unapologetic for the situation faced by Zeeks.com, saying it "goes to the safety issue, of giving kids the ability to communicate with predators without any parental involvement."

Peeler said the commission will start its formal sweep of noncomplying businesses within the next two months, and confirmed that federal sites won't be on the list. COPPA requires the commission to provide a report to Congress on compliance and to identify law enforcement targets.

Zeeks.com's bulletin boards are filled with messages signed by children upset that the features are gone. Bryan said COPPA won't make children safer, but will simply drive them to other free e-mail services and unmonitored sites not designed for youngsters.

"Without question, that is where the kids will go to find these activities," Bryan said. "We've closed the playgrounds and sent the kids to play in the street."

### 'Big Boss' Wins Powers to Watch UK Workers

Unions and Internet campaigners reacted angrily on Wednesday to new British laws which they say will let unscrupulous employers snoop on personal phone calls and email messages by their staff.

The government said it was loosening new rules that would have obliged companies to get their employees' consent before monitoring communications.

After listening to objections from about 80 firms and other organizations, they decided that employers should be able to access emails or voicemail for normal business practices.

These included things such as monitoring calls for training purposes, accessing email to check for business correspondence that needed a response, or trawling for computer viruses.

But the Trades Union Council (TUC) said the new laws gave bosses too much power to snoop.

"We don't think employers should be allowed to routinely screen emails and phone calls, and certainly not without consent," a TUC spokeswoman said.

The TUC wants employers and workers to establish a code of conduct on such issues together.

The rules on business are a delayed part of a wider new act that, among other things, obliges Internet services providers to install a "listening post" on their servers if the government requests, so it can intercept email traffic to fight crime.

The new act, the Regulation of Investigatory Powers (RIP), became law this month and critics say it gives the government more sweeping surveillance powers than other Western countries.

British laws, however, usually have to comply with European Union directives and can also now be judged according to the new Human Rights Act

that came into force at the start of October.

The TUC said the business communications rules -- which come into force on October 24 -- could be one of the first pieces of legislation to be challenged under the new act.

"We could foresee a possible early challenge under the Human Rights Act," the spokeswoman said.

Cyber-activists also complained about the new bill.

"I would not expect someone to force open my filing cabinet if I am off sick with the flu," said Chris Evans of anti-regulation pressure group, Internet Freedom.

But business leaders expressed satisfaction with the new draft legislation.

Employment lawyers said companies allowed employees to use the phone and the Internet for personal communications as a concession and that if they wanted to keep things private, they should use their own phone or Internet connection.

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